

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC ANTHONY NEPUTE,
individually, and as
Owner of Quickwork LLC; and

QUICKWORK LLC,
a limited liability company,
also d/b/a WELLNESS WARRIOR,

Defendants.

Case No.: 4:21-cv-00437

**THE UNITED STATES' MOTION
FOR PARTIAL SUMMARY
JUDGMENT OF LIABILITY FOR
12,859,355 VIOLATIONS OF THE
FEDERAL TRADE COMMISSION
ACT AND 10,175,234 VIOLATIONS
OF THE COVID-19 CONSUMER
PROTECTION ACT**

Pursuant to Federal Rule of Civil Procedure 56, and Local Rule 4.01 of the United States District Court for the Eastern District of Missouri, Plaintiff the United States moves for an Order granting partial summary judgment as to Defendant Eric Anthony Nepute's and Defendant Quickwork LLC's liability for 12,859,355 violations of the Federal Trade Commission Act ("FTC Act"), 15 U.S.C. §§ 45(a), 52, and 10,175,234 violations of the COVID-19 Consumer Protection Act ("COVID-19 Act"), Pub. L. No. 116-260, Title XIV, § 1401. In support of this motion, the United States submits a Memorandum in Support, a Statement of Undisputed Facts in accordance with Local Rule 4.01(E), the declarations of Bonnie McGregor (PX 9), Roland Au (PX 11), and Ryan Zwonik (PX 12), and accompanying exhibits.

As explained in the accompanying Memorandum in Support of this Motion, and as detailed in the Statement of Undisputed Facts, there can be no genuine dispute that Defendants repeatedly disseminated unsubstantiated claims in their Wellness Warrior advertising, asserting that their Zinc

supplements prevent and treat COVID-19 and are scientifically proven to do so, and that their Vitamin D3 and Zinc supplements are more effective at treating and preventing COVID-19 than the available vaccines. There is also no genuine dispute that Defendants acted with the requisite knowledge to be liable for civil penalties for 10,175,234 violations of the FTC Act and COVID-19 Act.

Therefore, for reasons fully set forth in the accompanying Memorandum in Support of this Motion, the United States asks that this Court enter the attached proposed Order granting partial summary judgment as to Defendants' liability and setting a hearing to determine the appropriate civil penalty and injunctive relief for these violations.

Dated: September 2, 2022

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA:

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